

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**THE CITY OF IRONDALE,
ALABAMA,**

Plaintiff,

v.

**3M COMPANY, INC.; DAIKEN
AMERICA; *et al.***

Defendants.

Civil Action No. 2:24-cv-01327-AMM

**DEFENDANT GCP APPLIED TECHNOLOGIES' MOTION FOR
EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

Defendant GCP Applied Technologies, Inc. ("GCP"), by and through its undersigned counsel, respectfully requests an order granting GCP an extension to file its responsive motion or pleading to Plaintiff's Complaint until thirty days after Plaintiff's Motion to Remand is fully resolved, including through any appellate review or stay of these proceedings to allow Plaintiff to seek appellate review. In support of this motion, GCP states:

1. Plaintiff filed this action on August 23, 2024, in the Circuit Court of Jefferson County, Alabama.
2. GCP was served with the Complaint and Summons on August 30, 2024.

3. On September 26, 2024, Plaintiff consented to a thirty-day extension for GCP to file its initial responsive pleading. Pursuant to the parties' agreement, GCP's responsive pleading would have been due in the state court action on October 29, 2024.

4. However, on September 27, 2024, prior to GCP filing its responsive pleading, the matter was timely removed to this Court. Doc. No. 1.

5. On October 2, 2024, Plaintiff filed a Motion to Remand. Doc. No. 3.

6. On October 7, 2024, the Court entered a Text Order indicating that it would not entertain any motions to dismiss while Plaintiff's Motion to Remand was pending in order to conserve resources and promote judicial efficiency. Doc. No. 20.

7. Consistent with the Court's October 7 Text Order, GCP refrained from filing a motion to dismiss while Plaintiff's Motion to Remand was pending.

8. On August 19, 2025, the Court entered an Order denying Plaintiff's Motion to Remand. Doc. No. 50. The Court also dismissed without prejudice the previously filed motions to dismiss of several other Defendants, including Daikin America, Inc., E.I. du Pont de Nemours, Chemours, and Corteva, Inc., and indicated that the motions could be re-filed at a later date. *Id.*

9. On August 28, 2025, counsel for GCP called Plaintiff's counsel to propose a briefing schedule for GCP to file a motion to dismiss the Complaint. As of the date of this filing, Plaintiff's counsel has not responded.

10. However, on August 29, 2025, Plaintiff filed a motion requesting that the Court certify its order denying Plaintiff's Motion to Remand in order to permit Plaintiff to seek an interlocutory appeal. Doc. No. 55. Alternatively, Plaintiff requested that the Court stay proceedings in this matter pending the Eleventh Circuit's decision in *Town of Pine Hill v. 3M Co.*, No. 25-10746. *Id.*

11. In light of the above-described procedural history, GCP respectfully requests an extension of thirty days from the date that Plaintiff's Motion to Remand is fully resolved, including through any appellate review or stay, to file a responsive motion or pleading to the Complaint.

12. GCP is requesting this extension in good faith and not for the purposes of delay.

13. Plaintiff will not be prejudiced by GCP's request as Plaintiff itself seeks a stay of these proceedings, and the Court has already granted similar relief to co-Defendant Scholar Craft Products, Inc. See Doc. No. 22.

WHEREFORE, Defendant GCP Applied Technologies, Inc., respectfully requests that this Court enter an order extending the time by which GCP must enter a responsive motion or pleading until thirty days after Plaintiff's Motion to Remand

is fully resolved, including through any appellate review or stay of these proceedings pending appeal.

/s/ David Edelstein

David Edelstein

Pro Hac Vice Counsel for GCP Applied Technologies, Inc. (PHV motion filed and pending)

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CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2025, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System which will serve all attorneys of record, and/or served the following by U.S. mail, postage prepaid and properly addressed, and/or by electronic mail:

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